

House File 242 - Introduced

HOUSE FILE _____
BY FOEGE and PAULSEN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to voluntary annexation and municipal services
2 requirements.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2278HH 82
5 eg/es/88

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1 1 Section 1. NEW SECTION. 368.7B MUNICIPAL SERVICES.
1 2 1. The notice of application for annexation and public
1 3 hearing that is required in section 368.7 shall include
1 4 information from the annexing city as follows:
1 5 a. A description of existing municipal services, including
1 6 but not limited to water supply, sewage disposal, and fire and
1 7 police protection provided to the territory to be annexed.
1 8 b. A plan for extending municipal services to be provided
1 9 by the annexing city to the annexed territory within three
1 10 years of July 1 of the fiscal year in which city taxes are
1 11 first collected against property in the annexed territory.
1 12 2. Prior to expiration of the three-year period
1 13 established in this section, the annexing city shall submit a
1 14 report to the city development board describing the status of
1 15 the provision of municipal services identified in the plan.
1 16 If the city fails to provide municipal services, or fails to
1 17 show substantial and continuing progress in providing
1 18 municipal services to the annexed territory, the board may
1 19 initiate proceedings to sever the annexed territory from the
1 20 city. The board shall notify the city of the severance
1 21 proceedings and shall hold a public hearing on the proposed
1 22 severance. The board shall give notice of the hearing in the
1 23 same manner as required in section 368.7. The board may order
1 24 severance of all or a portion of the territory and the order
1 25 to sever is not subject to approval at an election. A city
1 26 may request that the board allow up to an additional three
1 27 years to provide municipal services if good cause is shown.
1 28 As an alternative to severance of the territory, the board may
1 29 impose a moratorium on additional annexation by the city until
1 30 the city complies with its plan for extending municipal
1 31 services to the annexed territory.

EXPLANATION

1 32 This bill applies the municipal services requirements of
1 33 involuntary annexations to voluntary annexations. Pursuant to
1 34 Code section 368.7, the city is required to give notice of an
2 1 application for voluntary annexation and public hearing. The
2 2 bill requires that this notice provide information from the
2 3 annexing city regarding existing and future municipal
2 4 services.
2 5 The annexing city must have a plan for extending municipal
2 6 services to an annexed territory within three years of July 1
2 7 of the fiscal year in which city taxes are first collected
2 8 against property in the annexed territory. The bill requires
2 9 the city to report to the city development board on the city's
2 10 progress in providing municipal services as identified in the
2 11 plan. The board may order a severance of annexed territory or
2 12 impose a moratorium on future annexation of territory if the
2 13 city fails to provide such services.
2 14 LSB 2278HH 82
2 15 eg:sc/es/88